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USAO CIVIL DIV

0002/0003

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA *ex rel.*  
and the State of New York, and the State of New  
Jersey *ex rel.* NICOLE GADSEN and HAROLD  
LEDERMAN

Plaintiffs,

v.

MATTHEW TUNDE, et al.

Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED:

13 Civ. 5009 (JGK)

UNDER SEAL

ORDER

The United States of America (the "Government"), by its attorney, Preet Bharara, (the "Government") having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), with respect to the claims raised in the Complaint filed by the relators in the above-captioned action;

IT IS ORDERED THAT:

1. The Complaint shall be unsealed thirty days after entry of this Order; and, in the event that relators have not moved to dismiss this action, service upon defendants by the relators is authorized as of that date.
2. Except for the Complaint, this Order and the Notice of Decision to Decline Intervention, all other contents of the Court's file in this action shall remain under seal and not be made public or served upon the defendants.
3. Upon the unsealing of the Complaint, the seal shall be lifted as to all matters

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occurring in this action subsequent to the date of this Order.

4. The parties shall serve all pleadings and motions filed in this matter, including supporting memoranda, upon the Government. The Government may order any transcripts of depositions. The Government may seek to intervene with respect to the allegations in the relators' Complaint, for good cause, at any time.

5. All further orders of this Court in this matter shall be sent to the Government by relators.

6. Should the relators or the defendants propose that the Complaint or any of its allegations be dismissed, settled, or otherwise discontinued, or that the defendants be dismissed from the case, the moving party (or parties) must solicit the written consent of the Government before applying for Court approval.

Dated: August 12, 2015

SO ORDERED:



HONORABLE JOHN G. KOELTL  
UNITED STATES DISTRICT JUDGE